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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

17  
18 BARINDER GILL, individually and on behalf  
of all others similarly situated,

19  
20 Plaintiff,

21 v.

22 314e CORPORATION,

23 Defendant.  
24  
25  
26  
27

Case No. 3:17-cv-01062

**NOTICE OF LODGIN OF [PROPOSED]  
ORDER GRANTING FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT**

1                   **PLEASE TAKE NOTICE** that the parties hereby lodge the attached [Proposed] Order  
2 Granting Approval of Class Action Settlement.

3  
4 Date: June 25, 2018

Respectfully submitted,

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14 *Counsel for Plaintiff and the Class*

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

17 BARINDER GILL, individually and on behalf  
18 of all others similarly situated,

19 Plaintiff,

20 v.

21 314e CORPORATION,

22 Defendant.  
23

Case No. 3:17-cv-01062

**[PROPOSED] ORDER GRANTING  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT**

24 The Court has before it the Joint Motion for Final Approval of a Class Action Settlement  
25 (“Class Settlement”) filed by Plaintiff Barinder Gill (“Plaintiff”) and Defendant 314e  
26 Corporation (“Defendant”), which was heard on July 12, 2018. After reviewing the Motion for  
27

1 Final Approval and the Settlement Agreement (“Class Settlement”), the Court hereby finds and  
2 orders as follows:

3 1. This Court has jurisdiction over the claims of the Settlement Class Members  
4 asserted in this proceeding and over all parties to the action.

5 2. The Court finds that one Class Member, Thomas Collins, has objected to the  
6 Class Settlement (ECF # 66) and two Settlement Class Members (representing approximately  
7 1.25% of the Settlement Class) have requested exclusion from the Class Settlement. The Court  
8 has considered Mr. Collins’ objection and finds that it lacks merits, and therefore, it is  
9 overruled.

10 3. This Court approves the proposed *cy pres* recipient, Bay Area Legal Aid.

11 4. This Court finds that the applicable requirements of Federal Rule of Civil  
12 Procedure 23 have been satisfied with respect to the Settlement Class and the proposed Class  
13 Settlement. The Court hereby makes final its earlier certification of the proposed Settlement  
14 Class.

15 5. The notice given to the Settlement Class Members fully and accurately informed  
16 the Settlement Class Members of all material elements of the proposed Class Settlement and of  
17 their opportunity to object to or comment thereon; was the best notice practicable under the  
18 circumstances; was valid, due and sufficient notice to all Class Members; and complied fully  
19 with the laws of the State of California, the Federal Rules of Civil Procedure, the United  
20 States Constitution, due process and other applicable laws. The Settlement Agreement is  
21 incorporated by reference into this Order and is hereby adopted as an Order of this Court.

22 6. The notice fairly and adequately described the Class Settlement and provided  
23 Settlement Class Members adequate instructions and a variety of means to obtain additional  
24 information. A full opportunity has been afforded to the Class Members to participate in this  
25 hearing, and all Settlement Class Members and other persons wishing to be heard have been  
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1 heard. Accordingly, the Court determines that all Settlement Class Members (as defined in the  
2 Class Settlement) who did not timely and properly execute a request for exclusion are bound by  
3 this Order and Judgment.

4 7. The Court hereby finds the Class Settlement is fair, reasonable and adequate, and  
5 in the best interests of the Settlement Class as a whole. The Court hereby grants final approval  
6 to the Class Settlement.

7 8. Accordingly, the Court hereby directs that the Class Settlement be implemented  
8 in accordance with the Settlement Agreement and the following terms and conditions.

9 9. It is hereby ordered that Defendant shall pay the Settlement Awards in the  
10 amounts and pursuant to the terms set forth in the Settlement Agreement.

11 10. It is hereby ordered that the that Defendant shall pay the Incentive Awards of  
12 \$8,500 to Plaintiff Barinder Gill and \$4,000 to opt-in plaintiff Christopher Walker, because the  
13 Court finds these Incentive Awards are fair and reasonable for the work they provided to the  
14 Class and Class Counsel.

15 11. With this final approval of the Class Settlement, it is hereby ordered that all  
16 claims that are released as set forth in the Settlement Agreement are hereby barred.

17 12. The Court shall retain exclusive and continuing jurisdiction over this matter for  
18 the purposes of supervising the implementation, enforcement, construction, administration, and  
19 interpretation of the Settlement Agreement.  
20

21  
22 **IT IS SO ORDERED.**

23  
24 Dated: July \_\_, 2018

25 THE HONORABLE JAMES DONATO